REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided.

In the Official Action, the Examiner rejected claims 17-35 under 35 U.S.C. §103(a) over GENNAMI (U.S. Patent No. 6,672,101) in view of JANG (U.S. Patent No. 6,237,362), and further in view of SAITO (U.S. Patent No. 6,599,104).

Without acquiescing to the propriety of the Examiner's rejection, claims 17 and 35 have been amended solely in order to expedite prosecution of the present application.

In particular, claim 17 sets forth a compressor including, inter alia, a refrigerant go-around passage which introduces the refrigerant discharged from the compression mechanism into the housing via a refrigerant introducing port, the refrigerant go-around passage being spaced from and surrounding a structure which surrounds an axial line of the compressor, the refrigerant go-around passage comprising larger curved portions, smaller curved portions, and approximately straight portions, the larger curved portions having a radius of curvature which is larger than a radius of curvature of the smaller curved portions, the curvature of the large curved portions are concentric with the axial line of the compressor, the smaller curved portions and the approximately straight portions are alternatingly connected to each other along a path defined by the refrigerant go-around passage, both the smaller curved portions and the approximately straight portions provided between the large curved portions along the path defined by the refrigerant go-around passage, the refrigerant being directed around the axial line of the compressor and returned to a discharge-port side of the housing via a refrigerant returning port, while separating the liquid from the refrigerant by centrifugation or by

centrifugation and collision, wherein a liquid returning port is provided to return the separated liquid into the housing in a wall of a mid part of the refrigerant go-around passage in such a manner that the liquid returning port has an orientation that has a component in a direction of gravity and that is deviated from a traveling direction of the refrigerant.

Applicants submit that GENNAMI, JANG, and SAITO, alone or in any properly reasoned combination, lack any disclosure of at least the above-noted combination of elements.

In setting forth the rejection, the Examiner cites to GENNAMI as purportedly disclosing the general structure of the presently claimed invention (*see* page 2, paragraph 3 of the Official Action).

In this regard, the Examiner acknowledges that GENNAMI does not disclose the presently claimed "refrigerant go-around passage." However, the Examiner asserts that it would have been obvious to supply the acknowledged deficiencies of GENNAMI with the teachings of JANG. More particularly, the Examiner asserts that JANG teaches "a refrigerant go-around passage," as indicated by directional flow arrows in Figure 1 of JANG (*see* the paragraph beginning on page 3 of the Official Action). Additionally, the Examiner asserts that SAITO discloses the presently claimed refrigerant go-around passage being a spiraling passage (*see* the second full paragraph on page 4 of the Official Action).

Contrary to the Examiner assertions, Applicants submit that the refrigerant go-around passage of the presently claimed invention is very different structurally from the fluid passages of the devices of the applied prior art.

More specifically, Applicants submit that SAITO merely discloses a lid member having a spiraling wall 112 (See Figure 2b). Further, Applicants submit that the entire spiraling wall 112 of SAITO has generally the same radius of curvature.

Thus, Applicants submit that SIATO, alone or in any properly reasoned combination, fails to disclose at least the presently claimed refrigerant go-around passage comprising larger curved portions, smaller curved portions, and approximately straight portions, the larger curved portions having a radius of curvature which is larger than a radius of curvature of the smaller curved portions, the curvature of the large curved portions are concentric with the axial line of the compressor, the smaller curved portions and the approximately straight portions are alternatingly connected to each other along a path defined by the refrigerant go-around passage, both the smaller curved portions and the approximately straight portions provided between the large curved portions along the path defined by the refrigerant go-around passage, as generally recited in claim 17.

Further, Applicants submit that the presently claimed invention has at least one advantage over the devices of the applied prior art, in that, because of the presently claimed larger curved portions, smaller curved portions, and approximately straight portions of the refrigerant go-around passage, a traveling direction of the refrigerant along the path defined by the refrigerant go-around passage changes sharply, thereby separating the lubricating oil from the refrigerant by collision. In other words, Applicants submit that such separation by collision enhances a separation effect as the traveling direction of the refrigerant changes sharply (*see* the last paragraph beginning on page 14 of the present Specification).

Accordingly, Applicants submit that the rejection of claim 17 (as well as the

claims depending therefrom) under 35 U.S.C. § 103 is improper and should be withdrawn.

Applicants further submit that independent claim 35, is somewhat similar to independent claim 17 in that it recites a compressor including, inter alia, a refrigerant go-around passage comprising a spiraling channel, the spiraling channel of the refrigerant go-around passage comprising larger curved portions, smaller curved portions and approximately straight portions, the larger curved portions having a radius of curvature which is larger than a radius of curvature of smaller curved portions, the curvature of the large curved portions are concentric with the axial line of the compressor, the smaller curved portions and the approximately straight portions alternatingly connected to each other along a path defined by the spiraling channel, both the smaller curved portions and the approximately straight portions provided between the large curved portions along the path defined by the spiraling channel.

Accordingly, Applicants submit that the rejection of claim 35 is improper for reasons similar to independent claim 17 (as discussed supra), and should be withdrawn.

Therefore, Applicants submit that the rejection of claims 17-35 is improper and should be withdrawn.

Applicants also submit that newly added claims 36-45 recite additional features of the presently claimed invention.

In view of the remarks herein-contained, Applicants submit that independent claims 17 and 35 are in condition for allowance. With regard to dependent claims 18-34 and 36-45 Applicants assert that they are allowable on their own merit, as well as because of their dependencies from independents claim 17 and 35, which Applicants have shown

to be allowable.

Thus, it is respectfully submitted that all of the claims in the present application are clearly patentable over the references cited by the Examiner, either alone or in combination, and an indication to such effect is respectfully requested, in due course.

SUMMARY

Applicants submit that the present application is in condition for allowance, and respectfully request an indication to that effect. Applicants have argued the patentability of the claims and pointed out deficiencies of the applied references. Accordingly, reconsideration of the outstanding Official Action and allowance of the present application and all the claims therein are respectfully requested and is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejection is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Yoshifumi ABE et al.

Bruce H. Bernstein
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, VA 20191
(703) 716-1191

Enoch E. Peavey
Reg. No. 57,686